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Mr. STENNIS. Mr. President, may I repeat the words of thanks of the consideration by the Members of this very grave and serious question that affects all of us.

Mr. SCOTT. Mr. President, will the Senator yield so that I may comment on that point?

Mr. STENNIS. I yield.

The PRESIDING OFFICER. The Chair points out that time has not been yielded.

Does the Senator from Rhode Island yield time to the Senator from Minnesota?

Mr. MONDALE. I yield to the Senator from Pennsylvania.

Mr. PELL. I yield 5 minutes to the Senator from Minnesota.

Mr. MONDALE. How much?

Mr. PELL. How much time does the Senator desire?

Mr. MANSFIELD. Mr. President, will the Senator yield me some time?

AMENDMENT NO. 499

Mr. MONDALE. Perhaps I could call up my amendment and yield time.

Mr. President, I call up my amendment. I will yield to the Senator from Mississippi.

The PRESIDING OFFICER. The clerk will state the amendment.

The bill clerk proceeded to read the amendment.

Mr. MONDALE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment is to be printed in the Record at this point.

The amendment of the Senator from Minnesota is as follows:

AMENDMENT NO. 499

EQUALITY OF EDUCATIONAL OPPORTUNITY

Sec. 3. (a) Recognizing that the policy of the United States to assure every child, regardless of race, color, or national origin, an equal opportunity for a quality education has not been fully achieved in any section of the country, there is hereby established a select committee of the Senate (to be known as the Select Committee on Equal Educational Opportunity) composed of three majority and two minority members of the Committee on Labor and Public Welfare, three majority and two minority members of the Committee on the Judiciary, and two majority and one minority Members of the Committee on Appropriations, to study the effectiveness of existing laws and policies in assuring equality of educational opportunity, including policies of the United States with respect to race, color, or national origin, whatever the form of such segregation and whatever the origin or cause of such segregation, and to examine the educational opportunity for such children uniformly in all regions of the United States. Such select committee shall make an interim report to the appropriate committees of the Senate and Congress, and shall make a final report not later than January 31, 1971. Such reports shall contain such recommendations as the committee finds necessary to which policies are applied uniformly under the Constitution and other laws of the United States, including recommendations with regard to proposed new legislation, relating to segregation on the grounds of race, color, or national origin, whatever the origin or cause of such segregation.

(b) For the purposes of this section the committee shall file a report of its findings and recommendations by January 31, 1971, and such report shall be fixed so that his gross rate shall not be less by more than $2,700 than the highest gross rate paid to any other employee, to be agreed upon with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize for the purpose of witnesses, facilities, personnel of any of the departments or agencies of the Government; (5) to contract with private organizations and individuals, employees of the Federal, State, and local governments and other individuals; and (7) to take depositions and other testimony.

(c) Expenses of the committee in carrying out its functions shall not exceed $200,000 through January 31, 1971, and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(d) The matter set forth in subsections (a), (b), and (c) of this section is enacted by the Senate as an expression of its finding and full recognition of the right of the Senate to change such matter at any time.

Mr. STENNIS. Mr. President, I now yield to my good friend from Pennsylvania briefly.

Mr. SCOTT. Mr. President, I asked unanimous consent to say that I think the Committee for the rights of any child with greater courtesy or consideration than the distinguished Senator from Mississippi (Mr. STENNIS)

I want to express my deep appreciation to him for his fairness at all times, for his willingness to recognize the many facts of the question, and for the fact that with him it is never a matter of questioning the motives of anyone but is a matter merely of seeking to obtain a resolution of an issue—and this is a particularly difficult one.

I am most grateful to him for all his courtesies. I thank him, and I want to thank all those who have participated in this debate, on both sides of the aisle and to express hope that we may proceed from here on with a greater degree of expedition, but if the Senate decides to work with the all deliberate speed formula, I shall be as patient as the next.

Mr. STENNIS. I thank the Senator. I wish to especially mention and commend the distinguished Senator from Connecticut (Mr. Ratschof) for his great sincerity as he wrestled with this problem, for the frankness of the analysis he made, and especially for his great personal courage to move forward in this field, strictly as a man of conscience and on his own, in this very troublesome and delicate field.

He and I talked about this problem over a period of 5 or 6 months. I made no special appeal to him on the matter. He called me up one Monday morning at 9:30 and said that he had written a speech supporting my amendment. I was pleased, of course, but I did not have comprehension enough to realize what a fine analysis and what far-reaching vision he had on this problem as reflected in that speech.

I want to give him all the credit for illuminating his position in his speech, in such a way as to make it compelling. His position is a landmark and opens a new gateway. I believe that we are at a turning point which will lead to a far better consideration of the kind that he pointed to.

Mr. President, I based my flight on the ground that we must have public schools and that they must be supported by the people; otherwise, we all will suffer. We must move forward in this field. We know that the Senator from Connecticut was impelled by great motives, to which I have referred briefly. It is one of the finest things I have seen happen since I came to the Senate.

I thank the Senator from Connecticut very much.

Mr. MONDALE. Mr. President, I thank the Senator from Mississippi. I join the Senator from Pennsylvania in expressing my admiration for the dignity and the ability with which the Senator from Mississippi (Mr. STENNIS) presented his case.

I must say that I feel greatly encouraged and should have a continuing reason why I should have referred to this amendment. It is one of the finest things I have seen happen since I came to the Senate.

Mr. President, I come to the Senate from the Senate because I am convinced that the challenge of this period is to see that this amendment is passed without loss of time and that the conflict of the issues is settled without loss of time in a manner that will further the work of the Senate.

Mr. President, on behalf of the Senators, Mr. JAVITS and myself and several other co-sponsors, I have called up amendment No. 499.

I ask unanimous consent that the following Senators be added as co-sponsors of this amendment: Senators BAYS, BROOKE, CASE, CRANSTON, HARRIS, McGHEE, PACKWOOD, and STEPHEN YOUNG.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONDALE. Mr. President, I offer this amendment because deep and compelling racial problems plague all sections of our country.

I offer it because racially segregated schools exist in all regions of the United States.

I offer it because I believe in our country's commitment to assure all children—regardless of their race, color, or
national origin—equal educational opportunities.

I offer it because I am convinced that we would be acting irresponsibly if we did not face up to these conditions and that the courts cannot be expected to act on them with a full understanding of pertinent laws and court decisions. And I offer it in the knowledge that our action today accepting the STENNIS amendment in no way faces up to the problems associated with de facto segregation.

The problems surrounding school segregation, especially de facto segregation, involve some of the most fundamental issues facing our Nation. The amendment offered by the Senator from Mississippi (Mr. RANSOM) focused our attention on the questions of racial isolation and de facto segregation. These Senators have done the Senate and the country a great service in raising these important and legitimate questions.

In order to fully understand the reasons for this emphasis on school desegregation efforts in the South, it is important to understand the development of the law of school desegregation in both North and South.

Title VI of the Civil Rights Act of 1964, school desegregation guidelines, and court decisions refer to discrimination or de jure segregation. Title VI prohibits discrimination in federally assisted programs. It applies to de jure segregation—segregation which has been caused by, or is a vestige of, official acts of public discrimination—such as the establishment of dual, racially segregated school systems, or official gerrymandering of school districts.

Title VI does not, however, provide that racial segregation per se is illegal or unconstitutional. What has been called racial isolation, racial imbalance, or de facto segregation is not prohibited by Title VI. Events such as residential patterns is not subject to the desegregation requirements of Title VI of the Civil Rights Act or court decisions. In fact, the Congress has been explicit in its decision that the school desegregation program shall not apply to situations of racial imbalance or de facto segregation. For example, section 401 of the Civil Rights Act states that:

Desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance.

The effect of these laws and court decisions on the various mechanisms of the school desegregation programs are only invoked where segregated schools are the result of deliberate and official public policy. The trigger for school desegregation enforcement is a finding of discrimination, not simply a finding of racial imbalance in the system. The courts have found illegal school segregation in all of the Northern school cases where the courts have found illegal school segregation, it has been necessary for the courts to find a pattern of unlawful racial discrimination.

The courts have held that the courts have found illegal school segregation, in the Northern school cases, the courts no longer require the plaintiffs to put forward massive evidence or extended testimony of action to establish Title VI's constitutional duty to eliminate its illegal racially dual school system. In these Southern school cases, the courts hearing Southern school segregation, courts hearing Southern school cases have required school systems that have segregated facilities to take whatever action is deemed necessary to undo the illegal situation.

In the North, on the other hand, where there are fewer definitive court decisions governing school segregation, the courts have not, as yet, adopted a "shorthand" approach to what constitutes illegal school segregation. In all of the Northern school cases where the courts have found illegal school segregation, it has been necessary for the plaintiffs to present voluminous evidence of deliberate action or inaction by school officials to maintain, create, or perpetuate unlawful dual school systems. In all cases except one, in the case of South Holland, Ill., the Justice Department— as a plaintiff in the case—in effect proved that South Holland made school decisions in order to discriminate against pupils on the basis of race. The kind of proof offered by the Government was practically identical to that which the courts had been requiring in Southern cases until about 4 years ago.

In summary, the law governing Southern school segregation has evolved to provide an all black or all white school as prima facie evidence of illegal discriminatory action. The judicial law governing Northern cases has not so evolved—detailed proof of deliberate misconduct is needed.

While the school desegregation guidelines are issued under the authority of Title VI of the Civil Rights Act of 1964, the Department of Health, Education, and Welfare has consistently taken the position that the primary responsibility for establishing the policies governing school segregation is a function of the courts and not the executive branch. Thus, while the Department's guidelines and criteria governing school desegregation have been revised and modified, these actions have always been to bring the Department's policies in line with the prevailing federal court decisions.

The problems surrounding de facto school segregation, and I think we should accept that challenge.

T...
Would existing provisions in existing laws such as the Civil Rights Act of 1964 and the Elementary and Secondary Education Act with respect to racial imbalance need to be modified or repealed? Should programs of Federal assistance be established to enforce or encourage new policies relating to racial isolation in the schools?

Mr. President, we have been challenged to end our hypocrisy and to face honestly and openly the problems related to de facto school segregation. I believe we must accept this challenge.

Our substitute amendment would ensure that this problem would receive the honest and responsible action it deserves. By creating a Select Committee composed of Senators from the two committees with jurisdiction over problems of civil rights and education, and members of the Senate at large, by establishing deadlines for the committee to make recommendation to the Senate, and by providing adequate resources for staff and necessary expenses, this amendment represents a good faith reply to a serious challenge.

I urge my colleagues to vote in favor of this substitute amendment.

Mr. MANSFIELD. Mr. President, will the Senator from Minnesota yield to me briefly, for one or two unanimous consent requests?

Mr. MONDALE. I yield.

ORDER FOR ADJOURNMENT UNTIL 10:30 TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today—and may I say that I hope we have more votes this afternoon and this evening—it stand in adjournment until 10:30 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR STEVENS TOMORROW MORNING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately after approval of the Journal, the distinguished Senator from Alaska (Mr. Stevens), be recognized for not to exceed 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from Alaska and Supporter of a bill to amend the Constitution, there be a brief morning hour, with statements in relation to the transaction of routine morning business limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1969

The Senate continued with the consideration of the bill (H.R. 514) to extend programs of assistance for elementary and secondary education, and for other purposes.

Mr. MONDALE. Mr. President, let me say to the distinguished majority leader that I do not plan to take much time on this proposal. I am hopeful that the new, fresh wind of change that we have felt in the Bill from Rhode Island (Mr. Pell), might agree to accept it, and I would ask him to respond at this time.

Mr. PELL. The Senator from Minnesota is absolutely correct. I have studied the amendment. It fills a vacuum which, I believe, we all recognize is there. I hope that we would be able to illuminate the subject. Some of us not in depth with the question of segregation as perhaps we should be will be able to become more familiar with it. Except for the Coleman report in Minnesota, there has been very little study made of the de facto aspects of segregation.

I think that the establishment of a select committee is an excellent idea and I would recommend it to all Senators and urge that they agree to the amendment. If the majority and two minority members of the Select Committee on Elementary and Secondary Education (Mr. Mansfield and the distinguished Senator from New York (Mr. Javits),

Mr. GRIFFIN. Mr. President, I should like to direct some questions to the Senator from Minnesota concerning the intent of his amendment.

At the bottom of page 1 and continuing on page 2, of the Senator's amendment, it states: "composed of three majority and two minority members of the Committee on Labor and Public Welfare, three majority and two minority members of the Committee on the Judiciary, and two majority and one minority Members of the Senate from other committees."

Mr. President, I am not quite clear as to whether the Senator means they want three people to be chosen from both parties or three majority and one minority member from each of the other committees of the Senate. Would the Senator respond to that?

Mr. MONDALE. I intend a total of three additional members, to be chosen through the regular selection process for the minority. But certainly I think that to give the minority only one staff person might not be adequate.

Mr. MONDALE. The Senator is right.

Mr. GRIFFIN. It seems rather strange, in a way, that so far as the first six members are concerned, the ratio is 3 to 2 as between majority and minority; whereas, the Senator also, has a 2 to 1 ratio.

I wonder if there is any particular reason for that?

Mr. MONDALE. I shall be glad to modify my proposal if there is no objection to establishing the 3-to-2 relationship.

Mr. GRIFFIN. I think that might be a good idea.

Mr. MONDALE. I understand that the ratios in my amendment are similar to those used in forming the Select Committee on Nutrition and Related Needs, but I have no objection to modifying my amendment accordingly.

Mr. GRIFFIN. Before the Senator does that, there is another point I should like to bring up. In trying to work in a difficult area, such as this one, it seems to me we do not want to get bogged down in political discussion of the minority controlling the political situation. We want cooperation and a bipartisan approach. We want to make sure that the minority was adequately represented and staffed.

I notice on page 3 of the amendment, "the minority be authorized to select one person for appointment."

It does seem to me that that might not be adequate for the minority to make a significant contribution in this situation. I do not know how many staff there will be, and particularly in a situation like this I think we want a bipartisan effort. In fact it might even have been proposed as in the past with select committees, that the committee be set up on a bipartisan basis with an equal number of members of the two parties represented. But certainly I think that to give the minority only one staff person might not be adequate.

Mr. MONDALE. Mr. President, I am advised by counsel that this language does not intend to limit the minority to one staff member. It is designed to indicate that there will be at least one. And I assume that if the minority certainly want the minority to be well represented on the staff, that would certainly be my view. Certainly one staff member would not be adequate.

I believe the committee ratio should be fair, and that the minority should have more than one staff member.

The only way the committee can work is on a bipartisan basis.

Mr. GRIFFIN. Mr. President, I think I believe in terms of clerical help. I am thinking in terms of professional assistance.

Mr. MONDALE. According to the modification prepared there will be a - - - - - - Mr. PELL. It will be 9 to 6.

Mr. MONDALE. It would be 9 to 6.

Mr. GRIFFIN. I think the Senator very much.

Mr. MONDALE. Mr. President, I yield first to the Senator from Connecticut and then to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. MONDALE. Mr. President, I feel that the Senator from New York and the Senator from Minnesota have come up with a very constructive suggestion. It must have been obvious to all of us as this debate has proceeded during the last 2 weeks that we are in a most complicated situation. This country will have
Mr. MONDALE. That is precisely the reason why the committee is being formed. It is being formed with a view to hold hearings and to hear from witnesses all over this country, from educators, parents, and students, in an effort to find the way to deal with the problems of de jure and de facto segregation wherever they are found, including Minnesota.

Mr. HOLLINGS. Mr. President, if the author of the amendment could show me that there would be a balanced representation of the committee, I would be glad to support it. The silent majority has just spoken. That crowd has lost, and that is why they want the study.

Mr. MONDALE. The silent majority was not so silent.

Mr. HOLLINGS. The Senator is correct.
But it took us a long time to be heard.

The point is that if the Senator can assure me that it will be an objective study and that he will go to the South and the North, I will support it. Come to the South. We have been heard. In fact we have been overwhelmed with witnesses. We will not by any means bring those professional witnesses. We want the committee to hear from leaders of both races and both sides of the school problem.

I think that would be salutary.

But what concerns me is that if we get a committee, and when the Senator from Minnesota and the Senator from New York get together, I am concerned about whether we will get down in the 44-by-8-block area of New York that, by design or otherwise, is segregated and I know no Washington agency has ever made a study there as yet in order to implement the unitary school. Is this a committee to get to that problem or to avoid it?

Mr. MONDALE. Mr. President, the Senator from South Carolina can send me the block number and if I am on the committee, I will make a motion to go there.

Mr. HOLLINGS. Could the Senator help me to get on that committee so that I could second that motion?

Mr. MONDALE. The Senator who could contribute more to this committee than the Senator from South Carolina.

Mr. PELL. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. PELL. Mr. President, is it not a fact that the Senator from Minnesota and I were discussing the possibility of the select committee, and the suggestion came up that the Senator from South Carolina would make a fine member of the committee. And we each agreed that when the Senate adopted the suggestion adequately focused on the problem with which the committee to get to that problem or to avoid it?

Mr. MONDALE. Mr. President, when we come out with the report, we do not want to be confronted with the kind of debate that we had the last time when the Senator from South Carolina took our skin off. We would like to have him on such a committee.

Mr. PELL. Specifically, we hope he would be on it.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MONDALE. Mr. President, I yield to the Senator from West Virginia and then I yield to the Senator from California.

Mr. BYRD of West Virginia. Am I to understand from the discussion which has just ensued that the selection of the committee will be determined by the able Senator from Rhode Island and the able Senator from Minnesota?

Mr. PELL. I must take the responsibility for that impression. I evidently misspoke. I thought I said, "We hope." We would be delighted to see the Senator from South Carolina on it.

Mr. MONDALE. In response to the question of the Senator from West Virginia, the method by which this committee would be selected is clearly spelled out in the amendment. There will be three majority and two minority members of the Committee on Labor and Public Welfare, three majority and two minority members of the Committee on the Judiciary, and Members of the Senate from other committees.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield further?

Mr. MONDALE. I yield.

Mr. BYRD of West Virginia. Does the Senator feel that this is a rather strange approach, to add language to a bill to create a select committee of the Senate? Is not a Senate select committee ordinarily created by the passage of a simple Senate resolution? What would we be doing here would be to write into law the creation of a Senate select committee and to give the House of Representatives a voice in the establishment of a Senate select committee; we would also be giving the President a voice in the establishment of a Senate select committee.

Why not let the Senate not withdraw this amendment and offer a simple Senate resolution to create such a committee? Then we would be approaching the matter in the normal and appropriate way.

Mr. MONDALE. I refer the Senator to page 3 of amendment No. 499, subparagraph (d), which provides:

(d) The matter set forth in subsections (a), (b), and (c) of this section is enacted by the Senate as an exercise of its rulemaking power and not in any other sense.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield further?

Mr. MONDALE. I yield.

Mr. BYRD of West Virginia. What he is doing is giving the President of the United States a veto over the Senate's authority to create a select committee of the Senate. Moreover, in the event the time should come when the Senator from Minnesota might wish to extend the life
Mr. MONDALE. We are faced with an extraordinary situation.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield further?

Mr. MONDALE. Mr. President, the Senator wishes to create a select committee, as the Senator wishes to create. I think the Senator is using the wrong vehicle here. The Senator is adding language to a bill which ultimately will go to conference with the House, and which subsequently may be signed into law by the President. This is the wrong way to approach the establishment of a Senate select committee, by adding language in a bill which requires action by both Houses for enactment. It is not ordinarily done that way.

Mr. MONDALE. I think the Senator is correct. I had hoped, and this is essentially what I had in mind, that the step we take in creating this committee would be part of our total approach to the matter of both de jure and de facto segregation. I think it is appropriate in this unique circumstance to do it in this way. I will take my chances on the President signing the bill.

I yield to the Senator from California.

Mr. CRANSTON. Mr. President, I would strongly support the amendment offered by the Senator from Minnesota. I do so for these reasons. First, no one knows what the effect will be of the amendments agreed to in the pending legislation. We do not know what the Department of Health, Education, and Welfare is going to do pursuant to these amendments. We do not know what the courts will do or how they will interpret it. We do not know what the local school boards will do.

The Senator from Minnesota stated that this is simply a declaration of policy. I would agree with the Senator from South Carolina that the composition of the commission established here should be on a geographical basis as well as on a party basis. We have a problem that is North, South, East, and West. We have a problem of the definition between de facto segregation and de jure segregation and its practical effect on children and society. There is really now no difference.

We have had a court decision in Los Angeles where a superior court judge stated that what was generally thought to be de facto segregation in schools was actually de jure segregation.

We need an immediate study. That is one reason I support the Senator's amendment, despite the quite valid questions raised by the Senator from West Virginia. We need a study at once. How do we go about dealing with this problem, not on a regional basis, but on a national basis? I agree we should have an approach that is applied North, South, East, and West, in justice and in equity. This study can lead to that sort of approach to the problem.

I think that the adoption of this amendment would speed the nationwide solution to what is an American problem.

Mr. MONDALE. I thank the Senator from California for his support and his most useful comments. The experiences to date, according to the Senator from Vermont, suggest. The focus of the committee's attention will be on what has been described as de facto segregation in education. It is designed to recommend what kind of remedies may be necessary. It is not intended to overlap or interfere with the work of the Select Committee on Nutrition and Human Needs.

Mr. President, I am ready to vote.

Mr. PELL. Mr. President, I would move the adoption of this amendment.

Mr. BYRD of West Virginia. Mr. President, I hope the Senator will not press this amendment. This sets a precedent. We would be giving the House a voice in the creation of a Senate select committee. We would be giving the President a voice in the creation of a Senate select committee. Additionally, if the time should ever come when the Senate wanted to extend the life of that committee, it would have to do so by law.

Mr. MONDALE. If the life of the committee needed to be extended, the extension is clearly within the rule-making power of the Senate. I understand that.

I suggest that, while I would like the amendment adopted in this form, I will instantly submit a resolution to go to the Rules Committee. The Rules Committee, if it is favorable to it, would, I think, have it adopted, and then delete this amendment in conference.

Mr. BYRD of West Virginia. Is the Senator saying that by the adoption of a simple Senate resolution we could extend the life of a select committee that had been established by the Senate?

Mr. MONDALE. Pursuant to subsection (d), yes. That is authorized. It could go through the Rules Committee and be acted on by the Senate, as any resolution would.

Mr. PELL. Mr. President, my understanding is that my instructions were to move to knock it out in conference if it had in the meantime already been agreed to.

Mr. MONDALE. That is right. It is my hope that we can submit a resolution, have it adopted, and then delete this language in conference.

Mr. BYRD of West Virginia. Mr. President?

Mr. MONDALE. I yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. I want the floor in my own right.

Mr. MONDALE. I yield the floor. Mr. President.

Mr. BYRD of West Virginia. Mr. President, I do not oppose the establishment of this committee.

Mr. PELL. Mr. President, I yield to the secretary of the Democratic conference.

Mr. BYRD of West Virginia. Mr. President, I do not take this time to oppose the establishment of the committee. I think the matter has been studied and restudied again and again, and I do not think it is necessary to have additional
It may be an unusual step that we are taking, but I think it shows our honest efforts to deal with the problem. The final step would be to have the committee really fulfill the responsibilities expected of it under this act. But, I think to sidestep that part, to ignore those recommendations proposed by. I say through this other process, would be unwise. Therefore, I most respectfully disagree with the Senator from West Virginia.

Mr. President, I ask unanimous consent that I may suggest an absence of a quorum, without the time for it being subtracted from either side.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOGAN of New York, with unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, yesterday the House approved the amendment which was subsequently added as a new part to S. 2625. This amendment would have prevented the Senate from giving a veto to the President on this bill.

I accept that challenge. I think it is important that the Senate disposes of this act, that it not make the same mistake that was made last year in the House when the amendment was used or yielded back.

I would now like to ask unanimous consent that these replies be printed in the Record at this point.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Hon. George Murphy, Senator for California, Washington, D.C.

DEAR SENATOR: This morning as President Selden and I testified in support of the student teacher corps legislation, Senator Pell handed us a copy of your news release of July 15, 1969. This release concerned the bill you plan to introduce titled, the Urban and Rural Education Act of 1970.

We commend you for introducing this legislation. We applaud your interest in the education of urban and rural children. We support your bill.

As correctly indicated in your statement introducing the bill, NSBA is worried that the dire necessity for providing compensatory education for educationally disadvantaged children cannot be accomplished because the financial resources are not available. Many cities and rural areas simply cannot pay the costs.

Some of the great cities of the nation are characterized by a disproportionately large low-income population, average number of school children coming from deprived home environments, and a declining economic base. Frequently a large low-income population, declining or at best stagnant property values, and the flight of commerce, industry and middle-income residents combine with very high social costs (that preclude a rising share of available revenue resources) to restrict the capability to finance schools. Often they even fare poorly under state and federal grant programs.

Increasingly, tax rates in these cities are among the highest; the quality of their governmental processes is among the best, are now second rate; and if I may say, municipal structures are poorly maintained.

The rural cities, particularly frequent in the Northeast and Middle West—some at the hub of urban areas, others scattered throughout the area—are obliged to spend less and less per child relative to their more prosperous neighbors, despite the fact that their children are particularly in need of the stronger education programs. The financial programs that these cities are further increased by rising costs of regular educational programs. For example, land costs for new schools in Baltimore have reached $300,000 an acre.

Poorer rural communities, particularly conspicuous in the South and Middle West, are characterized by consolidation and mechanization of farm work, the closing of opportunities and declining populations, by abandoned rural and town structures, and by little or no new construction. Taxable values on property tax rolls lag far behind teachers under dates of June and May respectively.

Again, my commendation.

Sincerely,

CARL J. MOELLER,
Director of Legislation.

DEAR SENATOR MURPHY: As indicated in our testimony before the Senate Education Committee June 17, NSBA is acutely aware of the education needs of the urban and rural populations. For example, land costs for new schools in Baltimore have reached $300,000 an acre.

It seems unwise to adopt this legislation without taking that step: to abandon the offer of a voluntary resolution, sending it to the Rules Committee, having long and possibly extended hearings, which may even result in the committee's rejecting it, and then coming here some time later and threshing out this issue all over again.

The key challenge to those of us who principally represent States outside the South was as follows: "It is true that we have a problem of segregation in the South, but you have a similar problem as we have in the South." These old cities, particularly frequent in the South, are besetting the field of education.

There are a number of the issues involved. It is important that to the extent that reasonable and acceptable remedies exist, we discover them and apply them at every level of government.

It seems unwise to adopt this legislation without taking that step: to abandon the offer of a voluntary resolution, sending it to the Rules Committee, having long and possibly extended hearings, which may even result in the committee's rejecting it, and then coming here some time later and threshing out this issue all over again.

The key challenge to those of us who principally represent States outside the South was as follows: "It is true that we have a problem of segregation in the South, but you have a similar problem as we have in the South." These old cities, particularly frequent in the South, are besetting the field of education.

There are a number of the issues involved. It is important that to the extent that reasonable and acceptable remedies exist, we discover them and apply them at every level of government.
national growth rates. An increasing proportion of properties in these places is financed by out-of-area institutional investors (rather than the town bank), producing a continuing drain on local public income from the community. At best, the local economy just manages to hold its own. Appalachia-type pockets of poverty abound. Frequently, the school districts find it hard to get the money they need by economies of scale, because the school population is declining at the same time that progress in educational technology calls for greater use of schools than before.

By contrast, high income suburbia is financially well off. Using Cleveland, Ohio and some of its suburban areas for example, last year the schools spent $378 per child for public education; Shaker Heights spent $598; Bratenal $1,342; and, Cuyahoga Heights $1,534. The attached table, based on 1955 data, further illustrates these differences.

It is well documented that students from good homes in middle and high-income environments make better scores on tests than underprivileged children. They may be able to progress even under relatively weak school programs. Students without these advantages, some children's education is considerably more expensive than that of others, the undertaking to afford each child an equal educational opportunity requires an unequal investment per child.

Your bill, if enacted and funded, would provide this additional support for those disadvantaged children. Verily, we have need for additional financial assistance to bolster programs for our younger children in the elementary schools. We hope this concept might be incorporated in the extension of the Elementary and Secondary Education Act now being reviewed by the Senate Committee on Labor and Public Welfare.

Sincerely yours,

AUGUST W. STEINHILBER,
Director, Federal and Congressional

THE RESEARCH COUNCIL OF THE GREAT
CITIES PROGRAM FOR SCHOOL IMPROVEMENT.

Chicago, Ill., August 20, 1969.

Hon. George Murphy,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MURPHY: I have reviewed the Urban and Rural Education Act of 1969 which you introduced on July 15 and find that it has much merit. The educational crisis in the cities -- the crisis we never will solve until we do have substantial educational programs with massive funding. Your proposal, as I understand it, would be an addition to the Elementary and Secondary Education Act and would be directed for the most part at the elementary school programs which are now operating within the framework of the Elementary and Secondary Education Act in our local educational agencies.

While I favor additional federal dollars for education, I am concerned about the following factors:

1. Title I of the Elementary and Secondary Education Act presently has an authorization of approximately $2.3 billion. The recent House action appropriates only $1.396 billion of this authorization. Title I, fully funded, would be a dramatic approach to solving many of the problems covered in your proposal.

2. The addition of a new section to Title I, even with full funding, can be subsumed into the total Title I appropriation and, without full funding, would be a drain on existing operating programs. The addition of new categories of eligibles under Title I in some of the more recent amendments to the Act have had that effect on local educational agencies.

3. The emphasis on the elementary school program in your proposal is highly desirable; however, the possibility of an expansion of the program to include all grades might very well result in a dilution of the dropout program that you have so strongly supported. The necessity of reaching the elementary school pupil through effective learning programs is, in my opinion, of the highest priority.

4. The second requirement which you specify, that of giving preference to the economically underprivileged, I would point out that in Detroit, where I sit as Vice-President of the Board of Education, the need is not to increase Title I programs. The limited funds available for these programs and the annual increases in the cost of program maintenance have forced a concentration in the programs to those schools that demonstrate the greatest need.

I would also observe that the very comprehensive nature of your proposal is a valuable, accurate description of the problems facing local educational agencies which are attempting to provide the best education possible for the Negro child.

The effort and support you have provided in developing the existing legislation is much appreciated. I know that you will continue to support the expansion of these programs, and I, along with all other educational leaders interested in such programs, urge your support of the full funding of the present educational programs in the next session of Congress.

Sincerely,

DARNEAL STEWART.

ST. LOUIS PUBLIC SCHOOLS,

HON. GEORGE MURPHY,
SENATE OFFICE BUILDING,
WASHINGTON, D.C.

DEAR SENATOR MURPHY: May I commend you for your efforts to help the sorely pressed urban and rural school districts across the Nation. Very few people realize the extent of the problems involved in educating children from the impoverished areas. Your bill, S. 2625, attacks the heart of the problem which exists in our Nation.

In the past quarter century St. Louis has had a net population loss of 130,000 or 15 per cent. The school population, meanwhile, rose 24 per cent. The period saw the crisis in our population change from 78 per cent white to 63 per cent Negro.

The rapidly rising ADC population is now 33,000 children, 45 per cent of the total ADC children in the State of Missouri.

Ten per cent of our pupils are in special classes for the mentally retarded, the hard of hearing, the partially sighted, the physically impaired, and other handicapped groups. There is evidence that another ten per cent of our pupils need these services are struggling along in regular classrooms.

More than 750 school girls become pregnant each year and need special classroom instruction and health service.

The schools now provide nearly 8,000 free and partially paid meals each day for hungry children.

The third of the 71,000 children who live in our Title I eligible areas are academically retarded a half-year or more in reading, language, and arithmetic.

You are aware that the Federal Office of Education is a major source of aid to our schools. Last year Baltimore City was $166,000; the total appropriation amounted to $73 million, 44 per cent of the authorized amount. For FY 1970, that gross appropriation will be further reduced to $64 million, nearly $1,000,000 lower than last year. This gap between authorization and appropriations together with the increasing...
number of children being served has worked to lower drastically the per pupil expenditure. In FY 1966, the first year of the program, we were able to spend $241 per eligible child (28,287); in FY 1969, that sum was down to $185 per child (54,121); for FY 1970, the projection is $124 per child.

As regrettable as that steady diminishing rate of support, it still presents a picture far better than the reality of our local situation. For FY 1969, the number of eligible children in Baltimore City was not increased, yet current funding will be reduced in the next fiscal year. In fact, however, we know that well over 100,000 children in Baltimore City are entitled to receive the services of the several kinds of ESEA-Title I programs that could be made available were there adequate financing. (The primary reason for this unfortunate situation is the reliance on the 1960 Census for defining “low income” families. Having to use this constant when all other elements are inconstant obviously adds to the limiting of those families). Your remarks in the Record contained an explicit reference to the “tremendous effort” made at the local level by the citizens of Baltimore. Not enough can be said about that effort, which resulted, for example, in overwhelming voter approval last November of a large School Loan for construction in the United States, $80,000,000. And Baltimore’s financial difficulties are at least as severe as any large urban center in our country. Our citizens have demonstrated beyond doubt their willingness to sacrifice to the limits for their schools, but our needs outstrip their capacity to pay.

In the context of such data as shown above, your attempts to have added 30% of regular Title I funds in the first year (without precondition) and 40% thereafter (with State approval) will be of great benefit to us and endorsed with the most sincere kind of hope. The enactment of your bill would bring school districts such as Baltimore a step closer to full funding under ESEA and allow us to provide services that we know will work to improve the condition of so many of Baltimore’s children.

It is my privilege to tell you that the National School Boards Association is presently working on proposals concerning the entire matter of federal funding for public education, so that the Board of Education in Baltimore has reached a stage of development where, I am sure, members of Congress will be receiving material related to their work. Perhaps I may be of service to your educational assistance as a result of your work with your Urban and Rural Education Act of 1969.

My best wishes to you on behalf of your efforts to further improve public education in our country.

Sincerely,

Thomas D. Shelton
Superintendent

Board of Education,
City of Chicago,
Chicago, III., August 14, 1969.

Hon. George Murphy,
Senate Office Building,
Washington, D.C.

Dear Senator Murphy: Thank you for your letter of August 7, 1969 with the enclosed reprint from the Congressional Record.

Introduction of the Urban and Rural Education Act of 1969 in the Senate was a master stroke on your part—worthy of the highest commendation from educators throughout the nation. The amendment provides a logical and practical solution to a major crisis in education, and undoubtedly will have widespread support. Unfortunately the disadvantaged youngsters in the Chicago public schools need much more help than they are presently receiving and S. 2625 would help to provide it. We could really utilize more than the 30% "add-on" for fiscal year 1970, but this is a great step in the right direction.

You were wise to specify that the funds were to be restricted to the elementary grades (i.e., this is the level at which it will do the most good) and that the schools not currently provided to the disadvantaged at an early age, no later help can make up for the lost years. Concentration of additional funds in the schools having the greatest need is also a very sound policy which has been proven over the past several years in the regular ESEA Title I programs in our city.

Your amendment appears to be extremely well thought out and its passage should do much for children in the urban and rural disadvantaged areas. You may be certain that it has the complete support of the Chicago public schools, and that we will extend every effort to assist in obtaining approval by Congress.

With every best wish for the early passage of S. 2625.

Sincerely,

James F. Redmond
General Superintendent of Schools

The School District of Philadelphia,

Hon. George Murphy,
U.S. Senate,
Committee on Armed Services,
Washington, D.C.

Dear Senator Murphy: After having carefully reviewed the Urban and Rural Education Act of 1969, I am quite excited about its possibilities. This infusion of new money will provide the impetus for the development of new concepts to solve the problems now facing urban schools.

I am particularly heartened by the fact that you have placed major emphasis for the expenditure of funds in the elementary years. The School District of Philadelphia, in adopting its goals and priorities, has decided to concentrate its new thrusts in the early years thus paralleling the intent of this legislation.

In order to develop new strategies for solving the problems of the inner city school districts as ours we must have large infusion of money from the Federal Government. This Act is indeed a significant step in providing this funding and affording us the opportunity to overcome the educational handicaps suffered by so many of our children.

Sincerely,

Mark R. Shedd
Superintendent

Pittsburgh Public Schools,
Pittsburgh, Pa., August 13, 1969.

Hon. George Murphy,
Senate Office Building,
Washington, D.C.

Dear Senator Murphy: I am pleased to give full support to the concept of your Urban and Rural Education Act (S. 2625) which amends Title I of the Elementary and Secondary Education Act. The additional monies planned for this bill would provide some relief to the desperate financial straits confronting urban school districts as they seek to compensate for the education deficiencies of disadvantaged children.

This bill, if not currently providing sufficient funds to meet the needs of disadvantaged children, Pittsburgh and other urban districts have had reductions in appropriations from the Federal Government. The APDC children reported nationwide. The additional $200 million requested will help to overcome this deficiency.

Sincerely,

Louis J. Kishkunas

THE COMMISSIONER OF EDUCATION

The Commonwealth of Massachusetts, Department of Education

Boston, August 8, 1969.

Hon. George Murphy,
U.S. Senate,
Washington, D.C.

Dear Senator Murphy: First of all, let me commend you for past expressions of concern for the disadvantaged youth of this nation. The measure proposed by you to amend Title I of the Elementary and Secondary Education Act of 1965 is a proper reflection of that concern.

As for my comments on the proposed legislation, let me say that I, along with many of my colleagues, have had additional funds in this area for years in an attempt to salvage the minds and spirits of many of our youth. We have pointed out, as you have, that the assumption that equity of educational opportunity, then our accomplishments, however many or varied they may be, are the battle to save the minds and spirits of a good portion of tomorrow’s citizens will be fought in the cities and rural areas, areas recognized by you as crucial to success if the American dream of true equality is ever to be achieved.

Again, I salute you and join with you and others seeking to remedy deficiencies in our educational and social structure. Your measure, a refinement and improvement of present legislation, will be welcomed by legislators, I am sure, and hosts of children, the eventual beneficiaries of your concern.

Sincerely,

Neil V. Sullivan
Commissioner of Education

BOSTON PUBLIC SCHOOLS, OFFICE OF THE SUPERINTENDENT

Boston, Massachusetts, August 18, 1969.

Hon. George Murphy,
U.S. Senate,
Washington, D.C.

Dear Senator Murphy: I thank you for your recent letter enclosing a copy of your statement and the text of your introduction of the Urban and Rural Education Act of 1969.

The enactment of this legislation would provide much needed additional funds to the large urban centers of this nation. In my testimony before the joint Fiscal and Labor Committee concerning the extension of the Elementary and Secondary Education Act, I made a plea not only for the extension of Title I funds to the large urban centers but also for additional Title II funds in this area for years in an attempt to salvage the minds and spirits of many of our youth.

I trust that this bill will be given careful study and active support in the Congress.

Sincerely,

William H. Shenkerson
Superintendent of Public Schools

COLUMBUS PUBLIC SCHOOLS

Columbus, Ohio, August 18, 1969.

The Hon. George Murphy,
U.S. Senate,
Washington, D.C.

Dear Senator Murphy: Thank you for your thoughtfulness in sending me a copy of the bill you recently introduced in Congress.

This Urban and Rural Education Act of 1969 has been studied and read very carefully by members of our professional staff. In the event that it becomes law, this bill would amend Title I of the Elementary and Secondary Education Act of 1965 and proposes to provide substantial increases in funds for certain qualified large cities to meet the educational needs of disadvantaged pupils in the elementary schools.
This additional money would be available to the local education agency without pre-condition; therefore, we have assumed that it would be possible to develop facilities needed for the approved programs. This bill as you have presented it seems logical and justifiable in terms of the intensified need that can easily be identified in large cities as well as certain rural sections of our great nation.

I would certainly hope that this bill would meet with favor and success in Congress.

Sincerely yours,

H. E. ELBING
Superintendent of Schools.

BOARD OF EDUCATION, MEMPHIS CITY SCHOOLS,
Memphis, Tenn., August 27, 1969.

Hon. GEORGE MURPHY,
Senate Office Building,
Washington, D.C.

SENATOR MURPHY: Thank you very much for your letter of August 7 in which you solicited my comments related to your Urban and Rural Education Bill. I have reviewed your Bill and I think it has a great deal of merit. The large cities of our nation are in trouble and will remain in trouble until responsible people do something about it.

We are satisfied with Title I of the Elementary and Secondary Education Act as structured. If it were fully funded at the authorized level—$33 billion—urban and rural school systems could make significant gains. Due to the financial structure we have to serve a limited number of educationally disadvantaged youth in a limited number of qualified schools. As you know, H.R. 13111, the HEW Appropriation Bill, was passed by the House by a substantial majority. We urge your support of full funding when it reaches the Senate floor. As you are aware, funds are needed for the approved programs. This bill appears to be somewhat helpful to Minneapolis.

We appreciate your interest in our school system and thank you for the copy of your letter introducing S. 2625. We are satisfied with Title I of the Elementary and Secondary Education Act as an attempt to break the cycle of disadvantage. This legislation is a direct attack on the problem and, if not consistently underfunded, it would represent a major, beneficial step in the right direction.

I feel that S. 2625 may be seen in the same light. It aims to restore equal educational opportunity, whereas growing inequities in educational quality have become an unfortunate reality. In doing this, it does not just add funds to Title I, but prescribes these funds for use at elementary grade levels in districts experiencing the nation's most pressing domestic problem. Important as it is to create such imaginative legislative solutions, however, it equally important to avoid the false economy of underfunding these solutions through inadequate appropriations. I would urge support of both the allocation of funds and the full appropriation to accomplish the task.

Yours sincerely,

Joseph Manch
Superintendent of Schools.

MINNEAPOLIS PUBLIC SCHOOLS,
Minneapolis, Minn., September 11, 1969.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.

DEAR Senator Murphy: We appreciate the opportunity you have afforded many public schools educators to review the proposed bill S. 2625, "Introduction of the Urban and Rural Education Act of 1969." Unfortunately, we have not been able to examine the documents and necessary data referred to in S. 2625, and this prevents our complete understanding of the bill at this time. Based on the documents we do have, however, the bill appears to be somewhat helpful to Minneapolis.

We appreciate your interest in our school system and thank you for your letter introducing S. 2625, Mr. Donald Bevis, our Assistant Superintendent for Research, Development and Federal Programs, will be in Washington next week. I have asked him to secure further information regarding this measure.

Sincerely,

John B. Davis, Jr.
Superintendent of Schools.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1, Public Law 86-420, the Speaker had appointed Mr. Nix, chairman, Mr. Wright, Mr. Johnson of California, Mr. Gonzalez, Mr. Frasier, Mr. Symington, Mr. Bush, Mr. Steiger of Arizona, Mr. Lloyd, Mr. Thomson of Wisconsin, and Mr. Wiggins as members of the U.S. delegation of the Mexico-United States Interparliamentary Group, on the part of the House.

This message informed the Senate that, pursuant to the provisions of section 1, Public Law 689, 84th Congress, as amended, the Speaker had appointed Mr. Hays, chairman, Mr. Rodino, Mr. Rivers, Mr. Clark, Mr. Brooks, Mr. Andrews, Mr. Findley, Mr. Quij, and Mr. Davis as members of the U.S. group of the North Atlantic Assembly, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 1, Public Law 86-42, the Speaker had appointed Mr. Gallagher, chairman, Mr. Johnson of California, Mr. Герман, Mr. Randile, Mr. Morgan, Mr. Kyros, Mr. Starnon, Mr. Andrews of North Dakota, Mr. Stafford, Mr. Broomfield, Mr. Langen, and Mr. Maillhard as members of the U.S. delegation of the Canada-United States Interparliamentary Group, on the part of the House.

ENROLLED BILLS SIGNED

The message announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:


DWIGHT SPRACHER

Mr. MAGNUSON, Mr. President, the citizens of the State of Washington recently lost a great friend. Dwight Spracher was recognized from border to border as a Democrat. He served my party faithfully and diligently as a State chairman. But more important, Dwight Spracher was known by Democrats and Republicans alike as a friend and a man of optimism and kindness in the face of any odds.

Mr. President, a recent editorial in the Washington Teamster newspaper sums up the character and quality of this man. I ask unanimous consent that the editorial be inserted in the Record at this point.

In the absence of objection, the editorial was ordered to be printed in the Record, as follows:

DWIGHT SPRACHER

Sooner than we care to think, the word "class" is aptly used to describe a man of great quality, is going to be driven to King Tut's tomb. Before this dreadful thing happens, we would like to apply the word to the late Dwight Spracher.

Dwight was definitely a class guy in everything he did in this life. He had class in triumph, class in defeat. He was a man of his word.

Dwight Spracher was a fine state chairman of the Democratic Party and he tried his very best to blow some life into the organization. He was as successful a businessman, the state spokesman for the Theatre Owners Association, a skilled lobbyist for his industry, and a dedicated doer for charity—especially for the kids. His singlehanded efforts in reviving the Variety Club to a position of merit in Seattle was a triumph of majestic proportions.

None of this could be achieved without class in the individual. Dwight Spracher had it, and we are truly sorry he is gone. There are not enough of his kind left.

SENIOR CANNON'S CONTRIBUTIONS ON BEHALF OF AIR TRANSPORTATION

Mr. MAGNUSON, Mr. President, I was recently pleased to read in a January edi-
their cooling water as a car radiator does. These changes would cost up to $6 million, but in terms of total outlay they are not economical. We need to find a way to help preserve the lake, but it will provide the makings of fog not only during the winter—if the towers can, indeed, work in the 20-million a year by avoiding Incineration, 18, reimbursable services, Informa-cooling towers do not handle all the land It Is used Instead of the general practice, cause of such segrega-tions would cost up to their cooling water as into-the-lake concept, or even cooling tow-makings of fog not only during the winter-water needed for the plant, do we go back to the lake? IMAGINE A GREENHOUSE A bit of imagination, apparently lacking in the AEC as it is conspicuously lacking in the Corps of Engineers, might just result in better solutions than the standard hot-water-into-the-lake concept. One alternative to the cooling tower is the construction of a cooling pond, which would have the advantage of permitting location of the generating plant away from the lake entirely. This would require about 1,500 acres of surface water, and if land prices were reasonable and construction costs low, the cost of water could be about $1.50 per kilowatt hour, a cost competitive with cooling towers. It seems to me, however, that we can do more with solutions programs by making them pay off economically than by wring-ing our hands or letting massive federal bureaus write off an environment in their pursuit of power. Philadelphia is now pack-ing its functions as It deems advisable; and the Reading Railroad makes money as well. Heat from an atomic reactor is available in tremendous supply. If it is used instead of wasted, several related problems could be solved. We need jobs for agriculturally trained, but underemployed, people; we need new tax sources; and we need a clean lake, and we need intelligent land use. The Champlain Valley is good farmland, but the growing season is so short that production for the big city mar-kets is impractical. Cantaloupes, for in-stance, produce a crop only occasionally—a risky business, indeed. Suppose that the water from the reactors could be piped away from the reactor and used to heat large green-houses that could produce tomatoes, melons, cucumbers and other crops in the winter? Thermewith, the water could produce air-conditioned areas during the summer to per-mit mushroom cultivation. Not only could the power companies sell a product to the public at a profit, but they could sell electricity to light the green-houses. These are not just pipe dreams; Ice-land has been using thermal spring water for many years for precisely these purposes, as well as for heating homes in Reykjavik. Stockholm has placed an atomic energy plant within the city limits and uses the cooling water for heating and office heating. Rough calculations by a nonengineer (me) have indicated that even a modestly sized plant could provide heat for a portion of the Champlain Valley into an artificial subtropical paradise. Still a land of milk and honey—plus tomatoes, mangos and jobs. Might we not also have girls in green shorts undulating beneath banana trees? ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1969 The Senate continued with the consideration of the bill (H.R. 514) to ex- tend programs of assistance for ele-menary and secondary education, and for other purposes. Mr. FELL. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. On whose time? Mr. JVAVITS. Mr. President, I ask unanimous consent that the time for the quorum call be charged to neither side. The PRESIDING OFFICER. Without objection, it is so ordered. The bill clerk proceeded to call the roll. Mr. MONDALE. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside. The PRESIDING OFFICER. Without objection, it is so ordered. SENATE RESOLUTION 359—TO CREATE A SELECT COMMITTEE ON EQUAL EDUCATION OPPORTUNITY Mr. MONDALE. I send to the desk a Senate resolution in language identical to that of the amendment just tem-porarily laid aside, and ask for its im-me diate consideration. The PRESIDING OFFICER. The resolu-tion will be stated. The legislative clerk proceeded to read the resolution. Mr. MONDALE. I ask unanimous con-sent that further reading of the resolu-tion be dispensed with. The PRESIDING OFFICER. Without objection, it is so ordered. Mr. MONDALE’s resolution (S. Res. 359) is as follows: S. Res. 359 Whereas the policy of the United States to assure every child, regardless of race, color, or national origin, an equal oppor-tunity for a quality education has not been fully achieved in any section of the coun-try; therefore be it Resolved, That (a) there is hereby estab-lished a select committee of the Senate (to be known as the Select Committee on Equal Educa-tion Opportunity), which select commit tee shall be composed of three majority and two minority members of the Committee on Labor and Public Welfare, the majority and two minority members of the Committee on the Judiciary, and three majority and two minority Members of the Senate from other committees, to study the effectiveness of existing laws and policies in assuring equality of educational oppor-tunity, including policies of the United States with regard to segregation on the ground of race, color, or national origin, and (b) the committee will report not later than August 1, 1970, and shall make a final report not later than January 31, 1971. Such reports shall contain such recommendations as the committee finds necessary with re spect to the rights guaranteed under the Constitution and other laws of the United States, including recommendations with regard to the rights guaranteed under the Constitution and other laws of the States, including recommendations with regard to proposed new legislation, relating to segregation on the ground of race, color, or national origin, whatever the origin or cause of such segregation. The PRESIDING OFFICER. Is there objection to its present consideration? There being no objection, the Senate proceeded to consider the resolution. Mr. MONDALE. Mr. President, this is a matter which was presented in legis-la-tive form and which I am now present-ing in resolution form in response to suggestions offered by the Senator from West Virginia (Mr. Byrd). I think we have fully discussed it. It simply results in dealing with this matter in resolution form, rather than in legislative form. Mr. RUSSELL. Mr. President, a parlia-menary inquiry. The PRESIDING OFFICER. The Sen-aor will state it. Mr. RUSSELL. What is the pending business before the Senate? The PRESIDING OFFICER. The question is on agreeing to the resolution of the Senator from Minnesota. Mr. MONDALE. I support the resolution. I do not know of any reason why we should de-part from the ordinary rule which pro-vides that this resolution should go over to the day following. I am not opposing the resolution, but I am opposed to de-viation from the ordinary practice. Mr. MONDALE. Mr. President, will the Senator yield? Mr. RUSSELL. What is the pending business before the Senate? The PRESIDING OFFICER. The question is on agreeing to the resolution of the Senator from Minnesota. Mr. MONDALE. Mr. President, I ask unanimous consent that the resolution could be called up? Mr. RUSSELL. I have no objection to that. I simply do not like to establish a practice of offering resolutions and passing them just as offered. I think the resolution should be printed, so that other Senators may have an opportunity to read it. I do not anticipate any ob-jection; but that is the general practice, and I think it is a better one. Mr. MONDALE. I have no objection. Mr. RUSSELL. Mr. President, I ask unanimous consent that the resolution